

REMARKS

By the present amendment, claim 16 has been amended to more appropriately claim the invention.

Claims 1-18 are pending in the application.

In the Office Action, the Examiner rejected claims 1-18 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,291,383 to Oughton.

Applicants wish to thank the Examiner for the courtesy of extending to the Applicants' representative a telephone interview on March 7, 2002. During the interview, the Examiner agreed that Oughton does not disclose the combination of elements recited in claims 1, 6 and 16.

In accordance with the arguments presented to the Examiner during the interview and in view of the remarks that follow, Applicants respectfully traverse the Examiner's rejection of claims 1-18.

Rejections Under 35 U.S.C. § 102(b)

Claims 1-18 were rejected under 35 U.S.C. § 102(b) as being anticipated by Oughton.

The rejection is respectfully traversed for the following reasons. In order to properly anticipate Applicants' claimed invention under 35 U.S.C. § 102(b), each and every element of the claim in issue must be found, either expressly described or under principles of inherency, in a single prior art reference. Furthermore, "[t]he identical

invention must be shown in as complete detail as is contained in . . . claim." See M.P.E.P. § 2131 (8th ed., Aug. 2001), quoting *Richard v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Finally, "[t]he element must be arranged as required by the claim." M.P.E.P. § 2131 (8th ed. 2001), p. 2100-69.

The Examiner alleged that "the claimed subject matter that is met by Oughton includes" instructing a fan module replacement and controlling a fan drive voltage by referencing column 4, lines 27 et seq. It is to be noted that the Examiner has not fulfilled the requirements for making a proper 35 U.S.C. § 102(b) anticipated rejection because he has not shown that every element of the claim is found in the Oughton reference. The Examiner has only made reference to certain elements of the claim as allegedly taught by Oughton.

Regarding independent claims 1 and 6, Applicants respectfully submit that Oughton does not disclose at least, "instructing a replacement of a fan module; and controlling a fan drive voltage not to be supplied to a fan module to be replaced when the replacement is instructed."

Oughton merely discloses an uninterruptible power supply that provides power needs of a control circuit and gate drive, a charger, and a variable speed fan. Oughton further discloses a power train that includes a high frequency resonant converter, an auxiliary winding on a transformer and/or a resonant inductor which can provide power having both fixed and variable components of voltage. The voltage is used to drive a DC voltage fan at speeds which vary with the load. Therefore, the variable fan speed inherently increases as the load on the uninterruptible power supply increases. There is

nothing in Oughton that teaches or suggests "instructing a replacement of a fan module; and controlling a fan drive voltage not to be supplied to a fan module to be replaced when the replacement is instructed." Accordingly, Applicants respectfully request the withdrawal of the rejection and the allowance of claims 1 and 6.

Claim 16 recites, among other things, "means for instructing a replacement of a fan module; and means for controlling a fan drive voltage not to be supplied via the relay cable to a fan module to be replaced when the replacement is instructed," which parallels claims 1 and 6, making the claim distinguishable over Oughton for at least the same reasons given above.

Dependent claims 2-5, 7-15, 17 and 18 are allowable by virtue of such dependency and for the reasons above with regard to allowable base claims 1, 6 and 16.

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

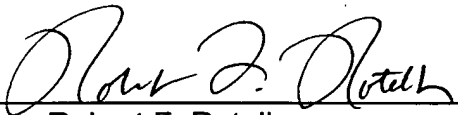
1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

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By: 

Robert F. Rotella
Reg. No. 24,014

Richard V. Burgujian
Reg. No. 31,744

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

**APPENDIX TO AMENDMENT OF MARCH 20, 2002
(Version with Markings to Show Changes Made)**

Amendments to the Claims

16. (Amended) An electronic apparatus capable of replacing a fan module during operation, comprising:

a relay cable coupled to a fan module for transmitting [the] a fan drive voltage and capable of being disconnected/connected from/to a fan module;

means for instructing a replacement of a fan module; and

means for controlling a fan drive voltage not to be supplied via the relay capable to a fan module to be replaced when the replacement is instructed.